



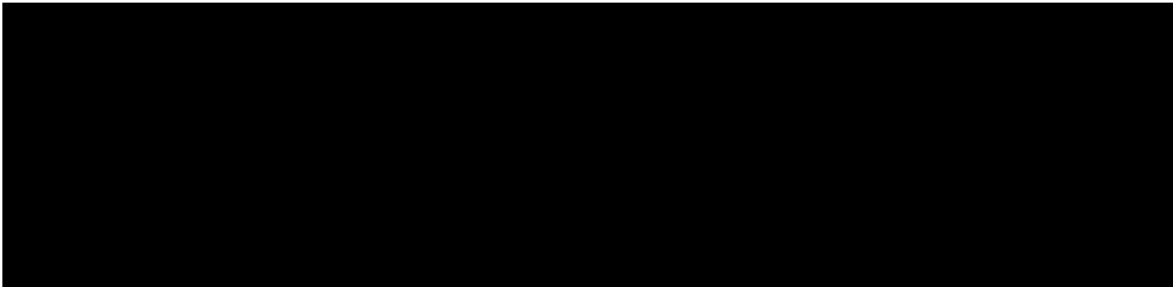
Eric Gonzalez
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Gregory Accarino
Assistant District Attorney

February 27, 2020



In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: JOSE DIAZ

MOS TAX: 925194

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION, DATED 12/01/2008, AGAINST MOS DIAZ:
ALLEGATION:

DEPARTMENT RULES AND VIOLATIONS - DEPARTMENT RULES/ PROCEDURES - TRAFFIC
CASE STATUS: CLOSED ON 09/11/2018

Disclosure # 2:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION, DATED 10/13/2010, AGAINST MOS DIAZ:
ALLEGATION:

1. MOS DIAZ WAS UNPREPARED WHEN HE APPEARED AT THE BRONX TRAFFIC VIOLATIONS BUREAU RESULTING IN A "NOT GUILTY" DISPOSITION

BASED UPON THE FOLLOWING ALLEGATION OF FACTS:

ON A DATE IN OCTOBER OF 2010, PO DIAZ HAD BEEN UNPREPARED TO TESTIFY IN TRAFFIC COURT REGARDING A PARTICULAR SUMMONS, AND, AS A RESULT, THE SUMMONS HAD BEEN DISMISSED. THE NYPD'S INTERNAL AFFAIRS BUREAU INVESTIGATED WHETHER PO DIAZ HAD INTENTIONALLY "THROWN THE CASE" BECAUSE ANOTHER OFFICER WAS HEARD ASKING A THIRD OFFICER TO SPEAK WITH PO DIAZ SO THAT THE SUMMONS WOULD BE "TAKEN CARE OF" AND THE THIRD OFFICER STATED THAT HE WOULD TAKE CARE OF IT; HOWEVER, PO DIAZ DENIED THAT HE HAD RECEIVED A REQUEST TO "TAKE CARE" OF A SUMMONS OR THAT HE HAD INTENTIONALLY "THROWN A CASE." FURTHER, THERE WAS NO EVIDENCE THAT PO DIAZ HAD DONE SO IN THIS INSTANCE. PO DIAZ EXPLAINED THAT ON OCCASION HE HAD BEEN UNABLE TO FULLY DOCUMENT SUMMONSES AFTER CAR STOPS BECAUSE HE WOULD GET PULLED AWAY ON SOME POLICE EMERGENCY BEFORE COMPLETING

HIS NOTES, AND THAT WAS WHY HE THOUGHT HE HAD BEEN UNPREPARED FOR TRAFFIC COURT IN 2010 WITH REGARDS TO THE SUMMONS AT ISSUE IN THE IAB INVESTIGATION, AS WELL AS PROBABLY WITH REGARDS TO OTHER SUMMONSES THAT HE HAD WRITTEN THAT WERE IN TRAFFIC COURT THAT SAME DAY.

CASE STATUS: CLOSED ON 04/12/2012

PENALTY: SCHEDULE B COMMAND DISCIPLINE, FORFEITURE OF FIVE (5) VACATION DAYS

Disclosure # 3:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION, DATED 07/24/2019, AGAINST MOS DIAZ:
ALLEGATION:

FAIL TO SAFEGUARD DEPARTMENT EQUIPMENT - ID CARD - ACTIVE

CASE STATUS: CLOSED ON 08/09/2019

PENALTY: SCHEDULE A COMMAND DISCIPLINE

Eric Gonzalez
District Attorney
Kings County